

## **2.66 Certificate of Appropriateness Not Required – Work Related to Public Health or Safety**

### **(a) Necessary Work Posing an Imminent Threat.**

Where it is determined by the Building Official that Demolition, relocation or Alteration of an Improvement or Natural Feature that is subject to this article may be immediately necessary in the interest of the public health or safety, and that bracing, shoring or isolation will not Mitigate the danger to public health and safety, or to adjacent property, a Certificate of Appropriateness shall not be required if the following procedures are implemented:

- (1) Determination of Imminent Threat. Within twenty-four (24) hours of making a determination on the imminent threat to the public health or safety, the Building Official shall provide a written statement of evaluation to the Property Owner and the Commission. The written statement shall contain an itemization of the following observations:
  - i. The structural and/or environmental conditions upon which the determination of Imminent Threat has been made,
  - ii. An assessment of the immediacy of the action and whether demolition, in whole or in part, is a possible abatement method,
  - iii. The age of the building, and
  - iv. An assessment of the building's eligibility for the National Register of Historic Places (if available).

All assessments and Engineering Evaluations of Cultural Resources made pursuant to this Ordinance shall utilize the State Historic Building Code and the Uniform Code for Building Conservation. Where the building official has determined by inspection that a historic resource in whole or in part is in imminent danger of collapse or poses a significant risk to life and/or property, the Building Official shall order the immediate abatement of the dangerous condition.

- (2) Abatement by Repair. Within eight (8) calendar days of the Building Official's determination of imminent threat, the owner shall abate the danger by isolation, shoring and/or bracing to mitigate the danger to public health and safety.
- (3) Abatement by Demolition. If the evidence shows that bracing, shoring or isolation will not mitigate the danger to public health and safety, the procedure to abate the imminent threat by demolition shall be as follows: within eight (8) calendar days of the Building Official's determination of imminent threat:
  - i. Commission Review. The property owner shall meet and confer with the Building Official, the Commission, or Chair as acting authority if the

Commission is unavailable, to reach an agreed upon course of action about the imminent threat within eight (8) calendar days. Such action may require the removal of structural features to a point where stability can be assured by a Civil or Structural Engineer, and a plan to stabilize and/or reconstruct the structure and preserve any Character Defining Features. If such course of action is agreeable to the Property Owner, the Commission or Chair, and the Building Official, the Building Official may place a stay on the demolition and order the implantation of the stabilization/reconstruction plan within 30 calendar days.

Where there is no agreement on a course of action, the Building Official shall order the resource be demolished, in part or in full, and authorize the issuance of a Demolition Permit no later than eight (8) calendar days following the Building Official's determination of imminent threat.

- (4) Photo Documentation. Prior to the issuance of a Demolition Permit, the owner shall have the Cultural Resource and/or Character Defining Feature(s) photographed to the satisfaction of the Planning and Building Director and in accordance with Historic American Buildings Survey (HABS) or HABS-like recordation standards, if possible. Any architectural detail uncovered during a demolition shall also be photographed to the satisfaction of the Director. The photographs and photographic record shall be submitted to the City Planning Division and the City Library.